

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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THE SHELDON ABEND REVOCABLE TRUST, :

Plaintiff, :

- vs. - :

STEVEN SPIELBERG; DW STUDIOS, LLC :
(formerly known as DREAMWORKS, LLC); :
PARAMOUNT PICTURES CORPORATION; :
VIACOM, INC.; UNITED INTERNATIONAL :
PICTURES, B.V.; PARAMOUNT HOME :
ENTERTAINMENT, INC.; DREAMWORKS :
HOME ENTERTAINMENT; MONTECITO :
PICTURE COMPANY, LLC; COLD SPRING :
PICTURES, LLC; UNIVERSAL PICTURES :
INTERNATIONAL, GmbH, and DOES 1-10, :

Defendants. :
-----X

CASE NO. 08-CIV-7810 (LTS)(JCF)
ECF Case

**PLAINTIFF'S MOTION FOR
VOLUNTARY DISMISSAL BY
COURT ORDER OF PARTY
UNIVERSAL PICTURES
INTERNATIONAL, GmbH
WITHOUT PREJUDICE**

Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, Plaintiff hereby moves for a Voluntary Dismissal by Court Order of the above-captioned action without prejudice, only as against the party, UNIVERSAL PICTURES INTERNATIONAL, GmbH.

WHEREAS, there has not been a prior dismissal of this party;

WHEREAS, this party has not been served in this matter;

WHEREAS, this party has not appeared;

WHEREAS, this party has not filed an answer, motion for summary judgment, or other response; and

WHEREAS, such dismissal shall not operate as an adjudication on the merits of any claims.

Based on the foregoing terms, Plaintiff respectfully requests that the Court grant this motion and issue an order voluntarily dismissing UNIVERSAL PICTURES INTERNATIONAL, GmbH, without prejudice.

Dated: New York, New York
February 4, 2010

Respectfully submitted,

Steven Michael Hayes
HANLY CONROY BIERSTEIN
SHERIDAN FISHER & HAYES, LLP
112 Madison Avenue
New York, New York 10016
Phone (212) 784-6414
Fax (212) 784-6420

By: s/ Clay M. Townsend
Clay M. Townsend
MORGAN & MORGAN, P.A.
20 N. Orange Avenue, Suite 1600
Orlando, Florida 32802
Phone (407) 418-2075
Fax (407) 425-8171

*Attorneys for Plaintiff the Sheldon Abend
Revocable Trust*

CERTIFICATE OF SERVICE

I hereby certify, under penalty of perjury, that on the 4th day of February 2010, I electronically filed a true and correct copy of the foregoing motion by using the CM/ECF system notifying the parties and served a true and correct copy of the same via first class U.S. mail to the following:

White O'Connor Fink & Brenner, LLP
Lee S. Brenner, Esq.
10100 Santa Monica Blvd., 23rd Floor
Los Angeles, California 90067

Law Offices Of Scott G. Goldfinger
Scott G. Goldfinger, Esq.
225 Broadway, Suite 715
New York, NY 10007

*Attorneys for Defendants Paramount Pictures Corporation, Steven Spielberg, DW Studios LLC
(f/k/a DreamWorks, LLC), Viacom, Inc., United International Pictures, B.V., Paramount Home
Entertainment, Inc.; Montecito Picture Company, LLC; and Cold Spring Pictures, LLC*

MORGAN & MORGAN, P.A.

Clay M. Townsend
20 N. Orange Avenue, Suite 1600
Orlando, Florida 32802
Phone (407) 418-2075
Fax (407) 425-8171

Attorneys for The Sheldon Abend Revocable Trust